



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on Channel 6; repeated on 12/1/06 at 8 pm and 12/2/06 at 9 am*

**Tuesday, November 28, 2006**

9:30 INVOCATION

9:35 GENERAL BUSINESS

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: October 24, 2006 (Lauer)
- C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(2) 9:40 CONSENT CALENDAR

- A. **Reconsideration/Amendment/Readoption** - Special appropriation to the MNCPPC's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$2,398,000 Black Hill Trail Renovation and Extension (Source: Program Open Space and G.O. Bonds) (Michaelson)  
*Corrected amount for this project is \$3,984,000.*
- B. **Reconsideration/Amendment/Readoption** - Special appropriation to the MNCPPC's FY07 Capital Budget - \$2,000,000 for Acquisition: Non-Local Parks (Source: Program Open Space) (Michaelson)  
*Corrected agency for this project is County Government.*
- C. **Introduction** - End-of-Year Transfer for FY06 County Government Operating Budget (Sherer)  
*Action is tentatively scheduled for 12/12/006.*
- D. **Introduction** - Supplemental appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$20,000 for Urban Areas Security Initiative (UASI) (Source: Federal Grant) (Davidson)  
*Public Hearing/Action is scheduled for 12/12/06 at 11:30 am.*

(2) 9:40 **CONSENT CALENDAR** *(continued)*

- E. **Introduction** - Supplemental appropriation to the County Government's FY07 Operating Budget, Department of Health and Human Services and Department of Police - \$1,974,460 for Maryland Regional Gang Prevention Initiative (Source: Federal grant) (McMillan/McGuire)  
*Public Hearing/Action is scheduled for 12/12/06 at 11:30 am.*
- F. **Action** - Resolution to amend previously adopted Resolution 15-1648, FY08 Process for Grant Proposals from Non-Profit Agencies: The application and specific procedures will be posted on the Council's website by December 15, 2006 (Planell)
- G. **Action** - Resolutions to petition the State for matching funds for Montgomery College: (Sherer)
- \$150,000 for roof replacement at Science North building at the Takoma Park/Silver Spring campus
  - \$11,559,000 for Cultural Arts Center of the Takoma Park/Silver Spring campus
  - \$1,000,000 for the Takoma Park Commons renovation
  - \$1,700,000 for the Bioscience Education Center on the Germantown campus
  - \$1,660,000 for the Rockville Science Center on the Rockville campus
- H. **Action** - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)  
*ED Committee recommendations will be available 11/27/06.*
- I. **Action** - Resolution to authorize Advance Taking - Travilah Road Phase I - MD Route 28 to Welland Terrace (Orlin)  
*T&E Committee recommendation will be available 11/27/06.*
- J. **Action** - Resolution to authorize Advance Taking - Mouth of Monocacy Road Bridge (Orlin)  
*T&E Committee recommendation will be available 11/27/06.*
- K. **Action** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Bethesda Theatre Nederlander Project (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Advisory Committee on Consumer Protection: Jeffrey P. Bloch, David J. Mason, Yosefi Seltzer, Craig Holston (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Alcohol and Other Drug Abuse Advisory Council: Asante Hatcher, William T. Waller, Rosallah A. Karim, Hans I. Moore, Susan K. Malagari (Ferber)
- N. **Action** - Confirmation of County Executive appointment to the Animal Matters Hearing Board: Joseph O. Vallina, III (Ferber)
- O. **Action** - Confirmation of County Executive appointments to the Citizens Review Panel for Children: Charlotte Mullican, Karin M. Snedeker (Ferber)

(2) 9:40 **CONSENT CALENDAR** *(continued)*

- P. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Wendy Goldberg Baber, Raquelle A. Carter, Carl L. Eggleston (Ferber)
- Q. **Action** - Confirmation of County Executive appointment to the Commission on Common Ownership Communities: Clara A. Perlingiero (Ferber)
- R. **Action** - Confirmation of County Executive appointment to the Commission on Health: Peter B. Sherer, M.D. (Ferber)
- S. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Jennifer D. Barmon, Joseph Fedeli, Dr. Lee H. Haller, Nancy Gannon Hornberger, David Jaffe, Ashok Kapur, Sharon M. Kelly, Marion W. Mattingly, Mary Poulin, Linda McMillan, Debra Grimes, Madeleine L. Jones, Captain Kathi Rhodes, Dennis Nial, Martha Young, Francha T. Davis, Pamela Littlewood, Mary Nicholas Drotleff, Mary Kay Siegfried (Ferber)
- T. **Action** - Confirmation of County Executive appointment to the Committee for Ethnic Affairs: Enas Elhanafi (Ferber)
- U. **Action** - Confirmation of County Executive appointments to the County-wide Recreation Advisory Board; Stanley Fisher, Jamaa Hill, Sean T. Smith, Craig A. Snedeker (Ferber)
- V. **Action** - Confirmation of County Executive appointments to the Community Action Board: Ana G. Marshall, Trinette Chase, Abigail M. Kendzior, Thomas J. Begines, Trica Young-Williams, Steven M. Galen, Marlon Mitchell, Keith Melbourne (Ferber)
- W. **Action** - Confirmation of County Executive appointments to the Department of Permitting Services Advisory Committee: Thomas Aylward, III, George Donovan, Tuva Welp, Larry Gordon, Caren W. Madsen, Joav Steinbach, Steven J. Kanstoroom, Cecile O'Connor, Frank G. Bossong, IV, Magdy B. Ibrahim, Jerome W. Oden, Chief Michael Donahue, Christopher Anderson, Rose Krasnow, Gregory Leck, Peg Robinson (Ferber)
- X. **Action** - Confirmation of County Executive appointments to the East County Recreation Advisory Board: La Shane D. Crutchfield, William Kyle (Ferber)
- Y. **Action** - Confirmation of County Executive appointment to the Firearm Safety Committee: Raymond Roberts (Ferber)
- Z. **Action** - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: Gregory S. Knoop, Garry K. Tyran, Mary Herman, R. Mallory Starr, Robert M. Schwarzbart, N. Leslie Olson, Kenneth G. Williams, Sandra L. Brecher, Captain Wayne M. Jerman (Ferber)

(2) 9:40 **CONSENT CALENDAR** *(continued)*

- AA. **Action** - Confirmation of County Executive appointment to the Glen Echo Park Partnership for Arts and Culture, Inc. Board of Directors: Gaylen M. Camera (Ferber)
- BB. **Action** - Confirmation of County Executive appointments to the Local Management Board for Children, Youth and Families: Leon T. Geter, Lori Rogovin, Delmas Wood, Angela English (Ferber)
- CC. **Action** - Confirmation of County Executive appointments to the Mid-County Recreation Advisory Board: Joseph Fritsch, Arquilla Ridgell (Ferber)
- DD. **Action** - Confirmation of County Executive appointments to the Noise Control Advisory Board: L. Shea DeLutis, Jared S. Hosid, Patrick J. Kapust, Sgt. Michael J. Watts (Ferber)
- EE. **Action** - Confirmation of County Executive appointments to the Western Area Recreation Advisory Board: Rochelle P. Gershenow, Monica Grasso, Andrew Ross (Ferber)

- (3) 9:50 **ACTION** - Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Verizon Communications (Healy)  
*MFP Committee recommendations will be available 11/27/06.*

- (4) 10:15 **ACTION** - Resolution to indicate Council's intention regarding the actions necessary to implement amendments to the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization (MCGEO), Local 1994 (Wage Compression Reopener) (Faden)  
*MFP Committee recommendations will be available 11/27/06.*

- (5) 10:25 **ACTION** - Fire Safety Code Regulations: Executive Regulation 5-06AM, Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions; Executive Regulation 6-06AM, Fire Protection Systems; and Executive Regulation 7-06AM, Building Construction (Davidson)  
*PS Committee recommends approval as amended.*

- (6) 10:40 **ACTION** - Special appropriation to the County Government's FY07 Operating Budget, Montgomery County Fire and Rescue Service - \$2,582,630 for Fire Code Enforcement - Fire Safety Code: Fee Schedule for Inspections, Permits, Licenses, Certificates and Exceptions (Source: Consolidated Fire Tax District) (Davidson)  
*PS Committee recommends approval with amendments.*

10:45 **LEGISLATIVE SESSION Day # 36**

- A. Approval of Legislative Journal: October 24, 2006 (Lauer)
- B. Introduction of Bills
- C. Call of Bills for Final Reading
- (7) • **Bill 17-06, Buildings** - Energy Efficiency and Environmental Design (Boucher)  
*T&E Committee recommendations will be available 11/27/06.*

11:30 **PRESENTATIONS** - Salute to Councilmembers Howie Denis, Tom Perez, Steve Silverman, and Mike Subin

12:00 **RECESS**

(8) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve License Agreement for Use of Public Right-of-Way: 1203 Fidler Lane, LLC (Healy)  
*MFP Committee recommends approval.*

(9) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriations to the County Government's FY07 Capital Budget and amendments to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation (Orlin)

- \$4,597,000 for Glenmont Metro Parking Expansion (Source: Revenue Bonds: Liquor Fund)
- \$8,525,000 for State Transportation Participation for extension of Watkins Mill Road (Source: Revenue Bonds, Liquor Fund; Impact Tax; City of Gaithersburg)
- \$8,525,000 for Watkins Mill Road Extended (Source: G.O. Bonds, Impact Tax and City of Gaithersburg)

*T&E Committee recommendation will be available 11/27/06.*

(10) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$220,000 for Real Estate Management Fund (Source: REM Fund/Rental Revenue) (Planell)

(11) 1:30 **PUBLIC HEARING/ACTION** - Resolution to establish FY08 Spending Control Limits for the Washington Suburban Sanitary Commission (Levchenko)

(12) 1:30 **PUBLIC HEARING** - Resolution to amend Transportation Fares, Fees, and Charges to establish free parking for motorcycles in spaces and areas where only motorcycle parking is permitted (Orlin)  
*Action follows public hearings.*

(13) 1:30 **PUBLIC HEARING - Expedited Bill 47-06**, Motor Vehicles - Motorcycle Parking (Orlin)  
*Action follows public hearings.*

(14) 1:30 **PUBLIC HEARING - Expedited Bill 46-06**, Bond Authorization (Sherer)  
*Action follows public hearings.*

2:30 **LEGISLATIVE SESSION Day # 36 (continued)**

C. Call of Bills for Final Reading *(continued)*

(13) • **Expedited Bill 47-06**, Motor Vehicles - Motorcycle Parking (Orlin)  
*T&E Committee recommends approval.*

(14) • **Expedited Bill 46-06**, Bond Authorization (Sherer)

- (14) 2:45 **ACTION on the following resolutions:** (Sherer)
- Resolution to consolidate the issuance of certain authorized bonds
  - Resolution to consolidate new authority to issue commercial paper bond anticipation notes with all previously authorized notes
- (12) 2:50 **ACTION** - Resolution to amend Transportation Fares, Fees, and Charges to establish free parking for motorcycles in spaces and areas where only motorcycle parking is permitted (Orlin)
- T&E Committee recommends approval.*

3:00 **ADJOURN**

The County Executive-Elect has indicated his intent to make the following appointment; the Council is tentatively scheduled to conduct an interview on December 5, 2006:

Director, Office of Public Information: Patrick Lacefield

#### **FUTURE COUNCIL MEETINGS**

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

**Note:** See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Nov 23, 2006		HOLIDAY
Nov 28, 2006	9:30 am	Regular Session
Dec 5, 2006	9:30 am	Regular Session
Dec 5, 2006	11:00 am	Interview - Director, Office of Public Information
Dec 12, 2006	9:30 am	Regular Session
Dec 18 - 31, 2006		RECESS
Dec 25, 2006		HOLIDAY

#### **FUTURE PUBLIC HEARINGS**

To testify call 240-777-7931

#### **December 5, 2006**

1:30 pm Spending Affordability Guidelines for FY08 Operating Budget

#### **December 12, 2006**

11:30 am Supplemental appropriation to the County Government's FY07 Operating Budget, MCFRS - \$20,000 for Urban Areas Security Initiative (UASI)

11:30 am Supplemental appropriation to the County Government's FY07 Operating Budget, DHHS and DOP - \$1,974,460 for Maryland Regional Gang Prevention Initiative

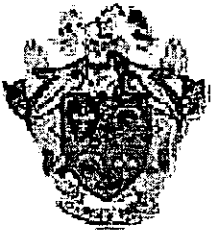
#### **January 17, 2007**

11:30 am Special appropriation to the County Government's FY07 Operating Budget, DOCR - \$759,730 for Detention Services - MCCF



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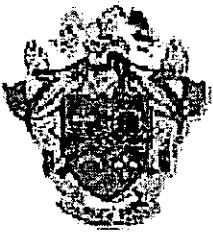


**Montgomery County Council**  
Legislative Information Services

***Packet Index***

***Tuesday, November 28, 2006***

Item Number	Note	Staff
Agenda Item #7	Please bring T&E packet #4 from November 27 and T&E packet #1-3 from October 12 to meeting. Final committee recommendation will be available late Monday.	Boucher/Faden



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Legislative Information Services

***Packet Index***

***Tuesday, November 28, 2006***

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### ADDENDUM

Tuesday, November 28, 2006

(2) 9:40 **CONSENT CALENDAR**

**Add:** FF. **Introduction** - Supplemental appropriation to the County Government's FY07 Operating Budget, Community Grants Non-Department Account - \$360,000 for Takoma Park Community Center - Phase III (Source: General Fund Reserves) (Sherer)  
*Public Hearing is scheduled for 12/12/06 at 11:30 am.*

**Add:** (4.1) 10:20 **INTRODUCTION/SUSPENSION OF RULES/ACTION** - Resolution regarding future elementary school sites in the Shady Grove Sector Plan Area (Levchenko)  
*Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.*